

AGENDA

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

Any person who wishes to be heard shall provide the Clerk with his or her name and residence, and agenda item on which he or she wishes to be heard. An individual has three minutes and a person representing an organization has five minutes to address the Board.

Please note that all time approximate items are listed in bold.

Wednesday, January 13, 1999

The Harvey Government Center
at Historic Truman School
1200 Truman Avenue
Key West, Florida 33040

Regular Meeting	9:00 A.M.
Public Hearings	10:00 A.M.
Public Hearings	5:05 P.M.

TIME APPROXIMATE

REGULAR MEETING

NOTES

9:00 A.M.	CALL TO ORDER INVOCATION SALUTE TO FLAG	
	A. ADDITIONS, CORRECTIONS, DELETIONS	
	B. PRESENTATION OF AWARDS	
	1. Presentation of Years of Service Award to Audrey Allen, Respite Provider, Social Services Department, Community Services Division	
	2. Presentation of Years of Service Award to Patricia Kufnowski, Personal Care Provider, Social Services Department, Community Services Division	
	3. Presentation of Years of Service Award to Hubert Riley Williams, Jr., Heavy Equipment Operator, Roads & Bridges Department, Public Works Division	
	4. Presentation of Employee of the Month Award to Terry Linderman, Administrative Assistant, Code Enforcement Department, Community Services Division	

B. PRESENTATION OF AWARDS - CONTINUED

5. Presentation of Employee of the Month Award to Al Brotons, Shift Supervisor, Emergency Medical Services Department, Division of Public Safety

10:00 A.M. C. PUBLIC HEARINGS

1. Approval of Proposed Final Vested Rights Determination; Galleon Bay Corporation, Applicants
2. Approval of Proposed Final Vested Rights Determination; Krause Rudy & Roseanne, Applicants
3. Approval of Proposed Final Vested Rights Determination; Peabody, Charles, Jr., and Susan M., Applicants
4. Approval of a resolution approving Recommended Order of Beneficial Use which denied the application of James W. Davidson and W. Gregory Robertson
5. Approval of a resolution approving Recommended Order of Beneficial Use which denied the application of Herbert T. and Christine W. Pontin
6. Public hearing on a "Slow Speed/Minimum Wake Zone" ordinance for Cow Key Channel South, having received input from the City of Key West
7. Second of two public hearings required to consider a Planning Department initiated ordinance enacting an eight-month moratorium on new communications towers and expansions to existing towers. If adopted, the moratorium would expire on September 13 1999
8. Public hearing on an ordinance establishing a Special Tax District for Rockland, Big Coppitt, and Geiger Keys for building sewage system
9. Public hearing on an ordinance providing exemption to property owners with OSTDS when the location is approved for a sewage system
10. Public hearing on an ordinance providing for a procedure and criteria governing change orders to contractors for the construction of capital improvements

D. BULK APPROVALS - COMMISSIONER FREEMAN

1. Approval to remove surplus items from inventory and advertise for bids or dispose
2. Approval of contract with Country Health Association to implement Medicare's Prospective Payment System mandated by the Balanced Budget Act of 1997, for a one year period, effective January 1999 through December 1999
3. Approval to advertise a Request for Proposals for two (2) rental car concessions at the Key West International Airport
4. Approval of consent to lease assignment, for a hangar at the Key West International Airport, from Key Haven Associated Enterprises to Dion Aviation Sales
5. Approval of agreement with First National Bank of the Florida Keys to provide, maintain and operate an Automatic Teller Machine at the Key West International Airport
6. Approval of the recommendations made by the Monroe Council of the Arts to procure art work for the Key West International Airport
7. Approval to rent space in the Marathon Airport Terminal Building, to be used as an office for the Legislative Aide to State Senator Daryl Jones, on a month to month basis, pending a lease agreement
8. Approval to use the Marathon Airport for the 1999 Seafood Festival/Fly-in on March 26-29, 1999
9. Approval of two (2) "Sky Dive Marathon" events at the Marathon Airport in 1999 (February 13, 1999 and November 12-14, 1999)
10. Approval of URS Greiner Purchase/Service Order to prepare design plans and specifications, and provide construction phase services for taxiway lighting project at the Marathon Airport
11. Approval to transfer ownership of two surplus Monroe County Transportation vans, former property tag numbers 1806-005 and 1806-007 to the School Board of Monroe County, Florida
12. Approval of an agreement between Monroe County and the Guidance Clinic of the Middle Keys, serving as the Community Transportation Coordinator for the State of Florida
13. Approval of an application for Federal Assistance between Monroe County, the applicant, and the Federal Transit Administration for Financial Assistance to purchase two transportation buses
14. Approval of Older Americans Act Contract #KG-951 for the 1999 contract year between Monroe County Nutrition and In-Home Services and the Alliance for Aging, Inc.
15. Approval to accept a grant award from the Florida Lean & Serve, K-12 Program to provide funding for the establishment of a 4-H Florida Keys Youth Council

16. Approval of a resolution designating Code Enforcement Inspectors as having authority to issue citations for disposition in County court

D. BULK APPROVALS - CONTINUED

17. Approval of the Contract Agreement with Key West Towing/Road One for the emergency removal of DV03A2716 located off of Safe Harbor, Stock Island
18. Approval of the Resolution and Contract Agreement with Spirit Marine Towing and Assistance for the installation of Aids to Navigation and Regulatory Markers/Signage in Boot Key Harbor/Sisters Creek
19. Approval of the Amendment to the Agreement with The Redland Company, Inc., for an extension of time to complete the repair and/or replacement of channel markers in the Upper Keys
20. Approval of the Amendment to the Agreement with FDEP-Special Waterways Projects Program for an extension of time until June 30, 1999 to complete existing channel marker repairs/replacement projects
21. Approval to purchase Building Permit/Code Enforcement software to replace AS400 software
22. Approval to rescind Board action of October 21, 1998 (approval to renew the contract agreement with Windswept A/C & Appliances in an amount not to exceed \$15,000.00 per year – with no price increase); and authorization to renew the contract agreement with Windswept A/C & Appliances for central a/c repair – Middle Keys facilities, in an amount not to exceed \$15,000.00 per year, increasing the contract amount by the CPI – 1.6%, in accordance with Article 3.06B of the contract agreement, and authorization for the Mayor to execute the Renewal Agreement for same
23. Approval to rescind existing lease agreement with Mr. Robert Cangelosi for Harry Harris Park Concession Stand due to insufficient funds of check #102 in the amount of \$720.00 (first and last month's rent) and non-payment of rent due as per lease agreement for a total of 4 months and authorization to advertise and seek new bids
24. Approval to renew the Contract Agreement with Davis Water Analysis, Inc. for the operation and maintenance service contract of the Wastewater Treatment Facility located at the Monroe County Detention Center for an amount of \$152,900.04 and authorization for the Mayor to execute the Renewal Agreement for same
25. Acceptance of monthly report on Change Orders reviewed by the County Administrator
26. Approval of Resolution accepting certain culvert easements within the Cudjoe Gardens Municipal Service District and authorization for Mayor to execute same

27. Approval to enter into a contract with Toppino's, Inc. for construction of culverts in Cudjoe Gardens Subdivision, and authorization for Mayor to execute same

D. BULK APPROVALS - CONTINUED

28. Approval of Change Order No. 1 to the Key Deer Paved Pathway contract, and authorization for Mayor to execute same
29. Approval to Request for Proposals for services of the Group Insurance Program: Third Party Administrator; Utilization Review and Case Management Services (Cost Containment); Specific and Aggregate Stop Loss Insurance; Life and Accidental Death and Dismemberment Insurance; and various voluntary benefit packages (including but not limited to employee and/or dependent life insurance, short and long term disability coverage, deferred compensation, etc.)
30. Approval of Fiscal Year 2000 Budget Calendar including dates for all public hearings
31. Approval of various resolutions for the transfer of funds and resolutions for the receipt of unanticipated revenue
32. Approval to issue a purchase order to Florida Fence Corp. in the amount of \$60,600.00 to repair fencing at 16 County facilities that were damaged by Hurricane Georges
33. Authorization to execute a contract with the Guidance Clinic of the Middle Keys for the implementation of the Keys to Recovery Program
34. Authorization to execute a contract with the Monroe Council for the Arts Corporation
35. Authorization to execute a contract with the Historic Florida Keys Foundation, Inc.

E. TOURIST DEVELOPMENT COUNCIL

1. Approval of a resolution transferring funds
2. Approval requested to advertise a Request for Proposal (RFP) for Long Distance Telephone Services
3. Approval requested to advertise a Request for Proposal (RFP) for sales representation services to promote tourism in Europe

4. Approval requested to advertise a Request for Proposal (RFP) for Telemarketing Disaster Recovery Services
5. Approval of a Destination funding Agreement with Keys Communication Group, Inc., covering Key West Theater Festival '99 in an amount not to exceed \$30,978, DAC 1 event resources, FY '99

E. TOURIST DEVELOPMENT COUNCIL - CONTINUED

6. Approval of a Destination funding Agreement with Florida Keys Corvette Club covering the 6th Annual "Corvettes in Paradise" on November 6th, 1999 in an amount not to exceed \$5,000, FY '99, DAC IV, Third Penny
7. Approval of a Turn Key funding Agreement with Super Boat International Productions, Inc., covering Key West World Championship Race on November 7-14, 1999 in an amount not to exceed \$10,000, FY '99, DAC 1 Third Penny
8. Approval of an amendment with Prange & O'Hearn, Inc. Marketing and Research Group to exercise option to extend original Agreement for additional two months to allow for research not obtained due to Acts of God and exercise option to extend for one additional year commencing June 1, 1999 and terminating on May 31, 2000
9. Approval of an amendment with the City of Key West for the beach improvement and restoration project encompassing Higgs Beach, White Street Pier and Smathers Beach to add an additional \$60,000, DAC 1 Beach Resources to the initial \$500,000 and amend the original Agreement to read "plus interest on appropriations" effective October 1, 1998
10. Approval of an amendment with Smith Travel Research, Inc., to exercise a one year option effective January 1, 1999 and terminating on December 31, 1999

F. SOLID WASTE MANAGEMENT

1. Report

G. DIVISION OF COMMUNITY SERVICES

1. Report

1:30 P.M. 2. Approval to waive formal bidding procedures to construct a facility for the National Weather Service at Key West International Airport

1:45 P.M. 3. Approval to waive the Major Conditional Use review to construct an aviation base for the Sheriff's Department at the Marathon Airport

H. DIVISION OF PUBLIC SAFETY

1. Report

I. DIVISION OF PUBLIC WORKS

4:30 P.M. 1. Report
2. Consideration of an agreement with Key West Kritter Patrol, Inc. to have animals spayed or neutered by Lower Keys veterinarians prior to being made available to the public for adoption.

4:00 P.M. 3. Update from Jose Gonzalez for work being performed at the Jackson Square Complex.

4:15 P.M. 4. Update from Bert Bender of Bender & Associates, P.A. on the status of the Gato Building Renovation Project.

J. CONSENT AGENDA/BULK APPROVALS - COMM. FREEMAN

1. Approval for a transfer of three buildable lots to Monroe County by Warranty Deeds. Pursuant to Ordinance No. 16-1992, these documents have been filed by the applicants receiving dwelling unit allocation awards for the year ending July 13, 1999

2. Approval for a transfer of three buildable lots to Monroe County by Warranty Deed and one covenant restricting the property owner to having one dwelling unit on three contiguous lots. Pursuant to Ordinance No. 16-1992, these documents have been filed by the applicants receiving dwelling unit allocation awards for the year ending July 13, 1999

3. Approval of a Grant of Conservation Easement for Harbor Course South, Section 4, Lot 56, Block 8, Ocean Reef Plat #19 (as recorded in Plat Book #7, Page 54), Key Largo, Florida, between Monroe County and Joseph and Betty Marchese

4. Approval of a Flood Variance Application submitted by Jeff Kurkowski for a lateral 371 square foot garage and storage enclosure below base flood elevation, for storage and parking only, on property located on Lot 14, Block 2, Key Haven Second Addition, Racoon Key
5. Approval of a Flood Variance Application submitted by Paul Van Buren for a detached 1643 square foot multi-car garage below base flood elevation, for parking only, on property located on Lots 4, 5 and 27, Block S, North Marathon Shores, Key Vaca

J. CONSENT AGENDA/BULK APPROVALS - CONTINUED

6. Approval to terminate contract SWPP97-21 between Monroe County and the Florida Department of Environmental Protection, and approve a resolution allowing the Marine Resources Director to sign the grant application

K. GROWTH MANAGEMENT

1. Report
2. Update on legal issues – James T. Hendrick, Esq.
3. Approval of Amendment No. 1 to contract with URS Greiner, Inc. (formerly URS Consultants, Inc.) for provision of transportation planning services funded under the FDOT-Monroe County Joint Participation Agreement
4. Approval of amendment to Resolution No. 364-1992, the Planning Department Fee Schedule, establishing initial and annual renewal fees for special vacation rental permits
5. Approval of an amendment to Resolution No. 364-1992, the Planning Department Fee Schedule, establishing fees charged for Development Agreements between the County and other parties
6. Approval of a resolution directing staff to request that the Florida Department of Community Affairs treat the forthcoming set of comprehensive plan amendments as an emergency, as provided for in Section 163.3187(1)(a), Florida Statutes
7. Approval of an amendment to Resolution No. 455-1996 in order to revise all permit fees to allow an additional \$1.00 per permit issued, earmarked for identification and State mandated ongoing continuing education
8. Approval of the Statement of Work for the Stormwater Master Plan and approval to advertise a Request for Qualifications

9. Approval of Survey Questionnaire Concerning Water Reuse in the Little Venice Area (95th Street, Ocean, to Vaca Cut – Oceanside) of the Marathon Wastewater Service Area
10. Approval of a Memorandum of Understanding (MOU) between Monroe County and the Looe Key Artificial Reef Association (LKARA) for monitoring the Adolphus Busch 1
11. Consideration of an Amendment to the Tri-Party Agreement between Islamorada, Village of Islands (the “Village”), the State Department of Community Affairs (the “Department”) and Monroe County (the “County”)

L. DIVISION OF MANAGEMENT SERVICES

1. Report
2. Consideration of application to transfer Cable TV Franchise Agreement
3. Update on the status of the County’s computer systems network and Year 2000 (Y2K) readiness
4. Approval to change the eligibility for group health insurance for group health program benefits for retirees, to lower the number of years of exposure and lower outstanding liability for the County

M. MONROE COUNTY TAX COLLECTOR

1. Discussion of the process of the selection of the newspaper to advertise the 1998 delinquent tax rolls

N. MONROE COUNTY SHERIFF DEPARTMENT

1. Approval of request for expenditures from the Law Enforcement Trust Fund

O. SOUNDING BOARD

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|------------------|---|
| 3:00 P.M. | 1. Discuss the privatization of Child Protective Services under House Bill 3217 and provide a status report on Project H.O.P.E. (Helping our People in Emergencies) hurricane recovery initiative - Charla Rodriquez |
| 3:15 P.M. | 2. Approval to appoint a liaison to the District 11B Department of Children and Families to assist with and offer input on |

**issues affecting children and families in our community -
Charla Rodriquez**

P. COMMISSIONERS' ITEMS

1. **MAYOR HARVEY** - Approval for the District One reappointment of Felix Otero to the Housing Finance Authority Board
2. **MAYOR HARVEY** - Approval of a Resolution in recognition of the late Mel Fisher

P. COMMISSIONERS' ITEMS - CONTINUED

3. **MAYOR HARVEY** - Approval for release of public use only Restrictive Covenant for Key West Lion's Club, Inc. property located at 2405 North Roosevelt Boulevard, Key West, Fl
4. **COMMISSIONER FREEMAN** - Approval of the reappointment of Kathleen Stupek to the Commission on the Status of Women
5. **COMMISSIONER FREEMAN** - Approval of the reappointment of Thomas A. Stevens to the Monroe County Housing Finance Authority
6. **COMMISSIONER NEUGENT** - Approval of a resolution of the Monroe County Board of Commissioners endorsing the conceptual design of the first phase of the Florida Keys Overseas Highway Bike and Pedestrian Trail
7. **COMMISSIONER NEUGENT** - Approval of a resolution by the Monroe County Board of Commissioners in support of the Monroe County District Schools request for State assistance in the recovery process from three Presidential Declarations of Natural Disasters in 1998
8. **COMMISSIONER NEUGENT** - Discussion regarding the ineffectiveness of the Monroe County Noise Ordinance
9. **COMMISSIONER NEUGENT** - Discussion regarding a monthly "Town Meeting" involving all or limited attendance by the Monroe County Commissioners giving the general public an opportunity to present concerns
10. **COMMISSIONER WILLIAMS** - Discussion by Major Ted Pruitt, Army Corps of Engineers, regarding the Carrying Capacity Study
11. **COMMISSIONER WILLIAMS** - Discussion of budget
12. **COMMISSIONER WILLIAMS** - Approval of appointment of William Plummer to the Local Citizens Task Force to fulfill the term of David Makepeace, with term to expire 8/19/99

11:30 A.M.

2:30 P.M.

13. **COMMISSIONER WILLIAMS - Proposal from Planning Commission to introduce a deadline for submission of evidence, or other materials, before any County Board - Mr. Lynn Mapes**

Q. COUNTY ADMINISTRATOR

1. Report
2. Approval of a name change of Shark Valley Slough to Shark River Slough

Q. COUNTY ADMINISTRATOR - CONTINUED

3. Approval of a member of the Board of County Commissioners as a nominee for a seat on the Florida Keys National Marine Sanctuary Advisory Council
4. Approval of the appointments/reappointments of Mayor Harvey, Commissioner Freeman, Commissioner Neugent, Commissioner Reich and Commissioner Williams to the Industrial Development Authority
5. Approval of contract with Commonwealth Consulting Corporation for consulting services
6. Approval of The Cooperative Agreement between Monroe County, Natural Resources Conservation Service (NRCS), Department of Community Affairs (DCA), South Florida Resources Conservation & Development Council (SFRC&D), City of Key West, and the City of Key Colony Beach to clean canals associated with Hurricane Georges and the approval of the License for the use of property to clean canals
7. Approval of recommended choices to fulfill two vacancies on the Department of Children and Families Health and Human Services Board

R. COUNTY CLERK

1. Report
2. Approval of Fines and Forfeitures
3. Approval of Warrants
4. Official approval of the November 12, 1998 BOCC meeting minutes

5. Approval of a Resolution designating the Courthouse Annex building as the temporary location for the posting of legal notices during the construction and renovation of the Monroe County Courthouse

S. COUNTY ATTORNEY

1. Report
2. Approval of a resolution setting the date, time and place for a public hearing concerning the proposed abandonment of a portion of Ocean Drive Road, Palma Sola, Key Largo

5:05 P.M.

T. PUBLIC HEARINGS

1. **Public hearing to consider a Budget Amendment to the Cudjoe Gardens Municipal Service Culvert District - Fund #154**
2. **Public hearing to consider a Budget Amendment to the Jolly Roger Municipal Service Culvert District - Fund #155**
3. **Second of two public hearings on a proposed amendment to the Future Traffic Circulation Map of the Monroe County 2010 Comprehensive Plan. The proposal seeks to change the segment of U.S. Highway One (a.k.a. State Road 5) through Big Coppitt Key, Florida, from two lanes to three lanes in order to accommodate a through turn-lane**
4. **Second of two public hearings on a proposed amendment to the Monroe County 2010 Comprehensive Plan. The proposed amendment to Policy 301.7.3 would allow two lane segments of U.S. Highway one to be widened to three lanes for the purposes of adding a continuous two-way turn lane when a demonstrated public safety risk exists and the impacts on environmental resources are minimal**
5. **Second of two public hearings on a proposed amendment to Policies 101.4.1, 101.4.2, 101.4.3 and 101.4.4 of the Monroe County 2010 Comprehensive Plan to reinstate certain lawfully existing nonresidential uses in residential future land use districts at their current density and intensity. The uses that will be reinstated are only those uses that were allowed pursuant to the pre-2010 Land Development Regulations. When the 2010 Comprehensive Plan became effective in January 1996, these uses were rendered nonconforming**
6. **Second of two public hearings on proposed amendments to the Monroe County Year 2010 Comprehensive Plan, specifically**

Policy 101.2.4 on the twenty percent set-aside affordable housing allocations and Policy 101.5.4 on the point criteria for Land Dedication, Energy Conservation and Structural Integrity

- 7. Second of two public hearings on a proposed amendment to the Monroe County 2010 Comprehensive Plan. The proposed amendment to Policies 601.1.7 and 601.1.11 relate to eligibility and affordability standards for affordable housing incentives**

T. PUBLIC HEARINGS - CONTINUED

- 8. Second of two public hearings on proposed amendments to the Monroe County 2010 Comprehensive Plan, Policies 202.8.2, 203.1.3, 203.2.1, 203.2.2, 204.2.1, 204.2.2, 204.2.3, 204.2.6, 212.2.3, 212.5.5 and 212.5.6. The Environmental Resources Department is proposing to change the above policies which are related to the construction of docks, the location of mooring sites, dredging, the placement of structures in wetlands, shore stabilization projects, beach renourishment and development within wetland and shoreline setbacks. The proposed changes would allow some relaxation of the restrictions contained in the existing policies, while maintaining or increasing the protection of natural resources**
- 9. Second of two public hearings required for amendments to the Comprehensive Plan. Marilyn and Ginger Henderson are proposing to change the Future Land Use Map designation for their property from Residential Medium (RM) to Residential High (RH) and the corresponding zoning from Improved Subdivision (IS) to Improved Subdivision-Duplex (IS-D). The property is described as part of parcels 5-G and 6A of Sombrero Properties, Boot Key, located in Section 15, Township 66 South, Range 32 East and has the real estate identification number 355300. The property is located on Sombrero Beach Boulevard at approximately Mile Marker 50**

ADA Assistance: Anyone needing special assistance at the Board of County Commissioners' meeting due to a disability should contact the County Administrator's office at 292-4441 by 12:00 p.m. on Friday, January 8, 1999.